

APPENDIX
Sent to Governor

April 19, 1973

S.C.R. 85

SIXTIETH DAY
(Tuesday, April 24, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The following Senator was absent-excused: Blanchard.

A quorum was announced present.

The Reverend Kenneth Thompson of Walnut Creek Baptist Church, Austin, Texas, offered the invocation as follows:

Our Father, as we meet in this Chamber this day to establish laws governing Thy land, may we remember that the final government of that land is in your hands. May your wisdom be ours. May your justice be our guide, and may the words of our mouths and the meditations of our hearts be acceptable in Thy sight. In Thy Holy Name we pray. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 19, 1973, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Blanchard was granted leave of absence for today on account of illness on motion of Senator Hightower.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, April 10, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that on April 10, 1973, H.B. 440 (Relating to the creation, administration, and powers and duties of the Office of Legal Representative for Inmates of the Texas Youth Council; and declaring an emergency) was tabled by the House.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

REPORTS OF STANDING COMMITTEE

Senator Creighton submitted the following reports for the Committee on Economic Development:

H.B. 380
S.B. 762 (Amended)
H.B. 181
S.B. 622
H.B. 543 (Amended)

SENATE BILL ON FIRST READING

By unanimous consent, the following bill was introduced, read first time and referred to the Committee indicated:

By Senator Creighton:

S.B. 935, A bill to be entitled An Act relating to the creation, establishment, administration, maintenance, operation, and financing of the DeLeon Hospital District of Comanche County, Texas, under Article IX, Section 9, of the Texas Constitution; repealing Chapter 9, Acts of the 56th Legislature, 1st Called Session, 1959 as amended; and declaring an emergency.

To Committee on Intergovernmental Relations.

SENATE BILL 123 ON THIRD READING

The President laid before the Senate as unfinished business S.B. 123 (the bill having been read third time on Tuesday, April 17, 1973).

Question, Shall S.B. 123 be finally passed?

Senator Mengden offered the following amendment to the bill:

Amend Senate Bill 123 by adding the following language to the end of Section 2:

"It is specifically provided, however, that with respect to property held by a custodian under the Texas Uniform Gifts to Minors Act on effective date hereof and the proceeds and reinvestments thereof, the custodian may elect not to have the provisions of this Act apply by so notifying the minor in writing, but such election may be revoked at the election of the custodian."

The amendment was read.

Question, Shall the amendment be adopted?

MOTION TO SET SENATE BILL 123 AS SPECIAL ORDER

Senator Adams moved to set S.B. 123 as Special Order on Monday, May 14, 1973 at 11:00 o'clock a.m.

The motion to set S.B. 123 as Special Order was lost by the following vote: Yeas 12, Nays 18.

Yeas: Adams, Aikin, Creighton, Harris, Hightower, Jones, McKinnon,

McKnight, Mengden, Moore, Patman and Traeger.

Nays: Andujar, Braecklein, Brooks, Clower, Gammage, Harrington, Herring, Kothmann, Longoria, Mauzy, Meier, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Wallace and Wolff.

Absent-excused: Blanchard.

SENATE BILL 123 ON THIRD READING

The Senate resumed consideration of the pending business, same being S.B. 123 on its third reading with an amendment by Senator Mengden pending.

Question, Shall the amendment be adopted?

The amendment was adopted by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: McKinnon and McKnight.

Absent-excused: Blanchard.

Question, Shall S.B. 123 be finally passed?

MOTION TO SET SENATE BILL 123 AS SPECIAL ORDER

Senator Adams moved to set S.B. 123 as Special Order on Friday, April 27, 1973 at 11:00 o'clock a.m.

The motion to set S.B. 123 as Special Order was lost by the following vote: Yeas 13, Nays 17.

Yeas: Adams, Aikin, Creighton, Harris, Hightower, Jones, McKinnon, McKnight, Mengden, Moore, Patman, Snelson and Traeger.

Nays: Andujar, Braecklein, Brooks, Clower, Gammage, Harrington, Herring, Kothmann, Longoria, Mauzy, Meier, Ogg, Santiesteban, Schwartz, Sherman, Wallace and Wolff.

Absent-excused: Blanchard.

SENATE BILL 123 ON THIRD READING

The Senate resumed consideration of the pending business, same being S.B. 123 on its third reading and final passage.

Question, Shall S.B. 123 be finally passed?

Pending discussion by Senator Adams of the bill, Senator Hightower occupied the Chair.

(President in Chair)

Pending further discussion by Senator Adams of the bill, the President Pro Tempore occupied the Chair.

Question, Shall S.B. 123 be finally passed?

MOTION TO ADJOURN

Senator Harris moved the Senate stand adjourned until 10:30 o'clock a.m. tomorrow.

(President in Chair)

Question on the motion to adjourn, "Yeas" and "Nays" were demanded.

The motion to adjourn was lost by the following vote: Yeas 11, Nays 18.

Yeas: Adams, Aikin, Creighton, Harris, Hightower, Jones, McKinnon, McKnight, Mengden, Patman and Traeger.

Nays: Andujar, Braecklein, Brooks, Clower, Gammage, Harrington, Herring, Kothmann, Longoria, Mauzy, Meier, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Wallace and Wolff.

Absent: Moore.

Absent-excused: Blanchard.

SENATE BILL 123 ON THIRD READING

The Senate resumed consideration of the pending business, same being S.B. 123 on its third reading and final passage.

Question, Shall S.B. 123 be finally passed?

MOTION TO ADJOURN

Senator Traeger moved the Senate stand adjourned until 10:30 o'clock a.m. tomorrow.

Senator Mauzy raised the Point of Order that no business had been transacted since a previous motion to adjourn until 10:30 o'clock a.m. tomorrow.

The President sustained the Point of Order.

Senator Traeger then moved the Senate stand adjourned until 10:15 o'clock a.m. tomorrow.

Question on the motion to adjourn, "Yeas" and "Nays" were demanded.

The motion to adjourn was lost by the following vote: Yeas 10, Nays 19.

Yeas: Adams, Aikin, Creighton, Harris, Hightower, Jones, McKinnon, McKnight, Patman and Traeger.

Nays: Andujar, Braecklein, Brooks, Clower, Gammage, Harrington, Herring, Kothmann, Longoria, Mauzy, Meier, Mengden, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Wallace and Wolff.

Absent: Moore.

Absent-excused: Blanchard.

SENATE BILL 123 ON THIRD READING

The Senate resumed consideration of the pending business, same being S.B. 123 on its third reading and final passage.

Question, Shall S.B. 123 be finally passed?

MOTION TO RECESS

Senator Moore moved that the Senate take recess until 2:00 o'clock p.m. today.

Question on the motion to take recess, "Yeas" and "Nays" were demanded.

The motion to take recess was lost by the following vote: Yeas 11, Nays 19.

Yeas: Adams, Aikin, Creighton, Harris, Hightower, Jones, McKinnon, McKnight, Moore, Patman and Traeger.

Nays: Andujar, Braecklein, Brooks, Clower, Gammage, Harrington, Herring, Kothmann, Longoria, Mauzy, Meier, Mengden, Ogg, Santicsteban, Schwartz, Sherman, Snelson, Wallace and Wolff.

Absent-excused: Blanchard.

SENATE BILL 123 ON THIRD READING

The Senate resumed consideration of the pending business, same being S.B. 123 on its third reading and final passage.

Question, Shall S.B. 123 be finally passed?

The bill was finally passed by the following vote: Yeas 19, Nays 11.

Yeas: Andujar, Braecklein, Brooks, Clower, Gammage, Harrington, Herring, Kothmann, Longoria, Mauzy, Meier, Mengden, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Wallace and Wolff.

Nays: Adams, Aikin, Creighton, Harris, Hightower, Jones, McKinnon, McKnight, Moore, Patman and Traeger.

Absent-excused: Blanchard.

**COMMITTEE SUBSTITUTE SENATE JOINT
RESOLUTION 4 ON THIRD READING**

The President laid before the Senate on its third reading and final passage:

C.S.S.J.R. 4, Proposing an amendment to the Constitution of the State of Texas revising Article V thereof to provide for a unified judicial system; etc.

The resolution was read third time.

Senator Ogg offered the following amendment to the resolution:

Amend Section 23 of C.S.S.J.R. 4 by adding a new Subsection (c) to read as follows:

"(c) Any participant in a county retirement, disability and death compensation fund who becomes a district or circuit judge pursuant to subsection (b) of this section shall have the option of continuing his participation in the county fund or transferring his membership, service credit, and contributions to the state judicial retirement system under such regulations as provided by law.

Notwithstanding anything to the contrary herein, any judge or justice who receives supplementary compensation from a political subdivision of the State of Texas in addition to his compensation from the State of Texas, may participate in any applicable retirement or pension system for the employees of such political subdivision, to the extent of such supplementary compensation, as well as, and in addition to, participating in the Judicial Retirement System of Texas to the extent of the salary paid to him by the State of Texas." and relettering subsequent Subsection accordingly.

The amendment was read and was adopted.

The resolution as amended was finally passed by the following vote: Yeas 26, Nays 4.

Yeas: Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Adams, Kothmann, Moore and Patman.

Absent-excused: Blanchard.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H.C.R. 143	H.B. 699
H.C.R. 134	H.B. 246
H.C.R. 123	H.B. 182
H.C.R. 107	H.B. 178

NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Wednesday, April 25, 1973

H.B. 7 - Senator Mauzy
H.B. 50 - Senator Hightower
C.S.H.B. 166 - Senator Wallace
C.S.H.B. 340 - Senator Gammage
H.B. 316 - Senator Gammage
H.B. 370 - Senator Mauzy
C.S.S.B. 25 - Senator Aikin
S.B. 163 - Senator Adams
C.S.S.B. 209 - Senator Ogg
C.S.S.B. 658 - Senator Jones
S.B. 692 - Senator Ogg
S.B. 694 - Senator Mengden
S.B. 764 - Senator Ogg
C.S.S.B. 765 - Senator Ogg
S.B. 772 - Senator Ogg

S.B. 801 - Senator Snelson
C.S.S.B. 816 - Senator Creighton
C.S.S.B. 818 - Senator Snelson
S.B. 855 - Senator Snelson
S.J.R. 32 - Senator Jones

Thursday, April 26, 1973

S.B. 558 - Senator Brooks
C.S.S.B. 644 - Senator Schwartz
S.B. 786 - Senator Schwartz

Friday, April 27, 1973

S.B. 86 - Senator Brooks
S.B. 227 - Senator Mauzy
S.B. 363 - Senator Mauzy
S.B. 492 - Senator Brooks
C.S.S.B. 644 - Senator Schwartz

MEMORIAL RESOLUTION

S.R. 614 - By Senator Adams: Memorial resolution for Early Caldwell.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 608 - By Senator Ogg: Extending welcome to Mr. and Mrs. Tom Records and sons.

S.R. 609 - By Senator Adams: Extending congratulations to Jacksonville High School Band.

S.R. 610 - By Senator Adams: Extending congratulations to Miss Charlotte Hancock.

S.R. 611 - By Senator Adams: Extending congratulations to Carthage High School Concert Band.

S.R. 612 - By Senator Adams: Extending congratulations to Mrs. Addie Mae Edwards.

S.R. 613 - By Senator Adams: Extending congratulations to John Shivers, George Smith and members of the Carthage High School Industrial Arts Club.

S.R. 615 - By Senator Adams: Extending congratulations to Miss Dessie Samuels.

S.R. 616 - By Senator Kothmann: Extending congratulations to San Antonio Branch and Youth Council of the NAACP.

S.R. 617 - By Senator Ogg: Extending welcome to students of St. John's School of Houston.

S.R. 618 - By Senators Clower, Braecklein, Harris and Mauzy: Extending welcome to Wes Wise.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:42 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

April 24, 1973

S.C.R. 85

In Memory of**John S. Redditt**

Senator Adams offered the following resolution:

(Senate Concurrent Resolution 88)

WHEREAS, Citizens of Lufkin and members of the Texas Legislature were greatly saddened by the loss of one of this state's most distinguished citizens in the death on Friday, April 13, 1973, of John S. Redditt, distinguished former member of the Texas Senate and long-time state official; and

WHEREAS, Born at Center, Texas, in 1899, John Redditt moved to Lufkin after graduation from The University of Texas School of Law in 1921; he and former State Senator I. D. Fairchild formed the law firm of Fairchild and Redditt; and

WHEREAS, This distinguished gentleman served as a member of the Texas Senate from 1933 until 1941; during four of his years in the Senate, Senator Redditt served as chairman of the Senate finance committee, and he helped pass legislation to establish the location of the Texas Forest Service in Lufkin; and

WHEREAS, In 1945, four years after he retired from the Senate, he was appointed as chairman of the Texas Highway Commission; he was reappointed to the post in 1947; and

WHEREAS, From 1955 to 1961, he served as a member of the Texas Commission on Higher Education, and from 1961 to 1965 he was a member of The University of Texas System Board of Regents; and

WHEREAS, Senator Redditt was named in 1971 as a distinguished alumnus of The University of Texas at Austin by the awards council of the university's ex-students association; and

WHEREAS, This great Texan was one of the leading voices in support of his community and contributed greatly of his time and energy to the citizens of Lufkin; he helped to found Lufkin's Memorial Hospital in 1949 and was a moving force in many civic projects benefiting the city; and

WHEREAS, Not only was Senator Redditt a leading attorney and dedicated public servant, but he was also a man of great understanding and compassion; his life was an inspiration to those around him at home, at work, and in his community; and

WHEREAS, This giant of men was a civil and business leader who was an advisor and counselor in his profession and also as a friend; he willingly and ably held out a helping hand to anyone who needed assistance; he had great faith in himself and possessed the ability of imparting that faith to others; and

WHEREAS, In serving on the Texas Commission on Higher Education and as a member of The University of Texas System Board of Regents, Mr. Redditt contributed greatly to the building of the fine system of higher education which the State of Texas has today; he was keenly interested in young people and sought to provide for them the opportunity to receive a quality education; the contributions which Mr. Redditt made to the system of higher education in this State shall stand as a memorial to this most distinguished Texan; and

WHEREAS, He is survived by his wife, Mrs. Hazel Redditt of Lufkin; two

daughters, Mrs. John Henderson of Lufkin and Mrs. Elaine Meroney of Austin; a brother, T. G. Redditt of San Antonio; three sisters, Mrs. W. I. Davis of Center, Mrs. Murphy Wall of Waco, and Mrs. Burke Windham of Tyler; and eight grandchildren; and

WHEREAS, It is appropriate that the Texas Legislature and all the people of Texas pay tribute to this outstanding citizen for his many contributions to his community and state, and extend sympathy to his family; now, therefore, be it

RESOLVED by the Senate of the 63rd Legislature, the House of Representatives concurring, That this Resolution stand in memory of John S. Redditt, distinguished Texan and dedicated servant of the people of Texas; and, be it further

RESOLVED, That official copies of this Resolution be prepared for the members of his family as an expression of deepest sympathy from the Texas Legislature.

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Adams, the resolution was adopted by a rising vote of the Senate.